



March 12, 2008

**EX PARTE PRESENTATION**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

***Re: Ex Parte Presentation in CS Docket Nos. 98-120, 00-96***

DISH Network submits this letter summarizing ex parte presentations from Tuesday, March 11, 2008 in the above-referenced dockets to address DISH Network's concerns with the imposition of a digital HD must carry obligation on DBS providers. The undersigned of DISH Network met separately with Eloise Gore, Monica Desai, Mary Beth Murphy, Jeff Neumann and Rosalee Chiara of the Media Bureau; Michelle Carey of Chairman Kevin Martin's office; Rick Chessen of Commissioner Michael Copps' office; Cristina Pauzé of Commissioner Robert McDowell's office; and Rudy Brioché of Commissioner Jonathan Adelstein's office. The substance of the meeting was consistent with our prior filings in this proceeding.

Respectfully submitted,

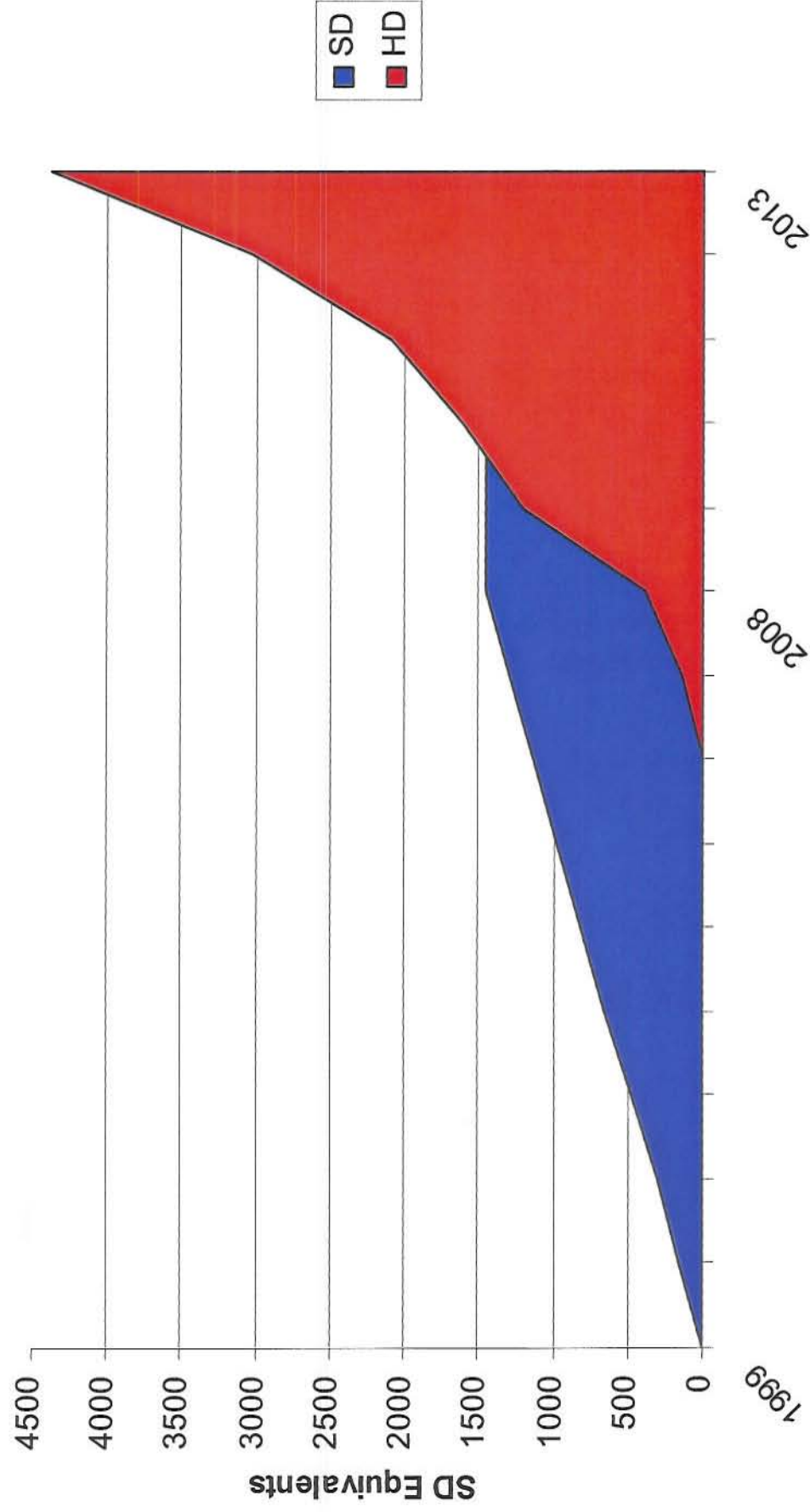
/s/ Linda Kinney

Linda Kinney  
Vice President, Law and Regulation

**Attachment**

cc: Rudy Brioché  
Michelle Carey  
Rick Chessen  
Rosalee Chiara  
Monica Desai  
Eloise Gore  
Mary Beth Murphy  
Jeffrey Neumann  
Cristina Pauzé

# DBS Joint Proposal: An Aggressive Timetable



## **DISH Network Satellite Capacity**

### **(1) How many local broadcast stations does DISH currently retransmit?**

DISH currently carries 1,460 local broadcast stations in standard definition and 129 stations in HD.

### **(2) How much satellite capacity would be needed to carry all current local stations in HD (i.e., approximately how many additional spot beam satellites would be required)?**

Today, we carry four HD stations per transponder (which assumes use of advanced compression technology MPEG-4 set-top boxes). Given anomalies in geography and limitations associated with frequency reuse, approximately 100 transponders can be loaded on the newest spot beam satellites. If a new satellite can hold approximately 400 HD locals, then approximately three new satellites would need to be built in order to carry the remaining 1,331 locals in HD. (While we expect satellite technology to improve over time, we also expect additional local stations to seek carriage, and we hope to add more local markets.)

### **(3) How much spare capacity do DBS providers have today? Do they have enough frequencies to add three new spot beam satellites or do they need more spectrum (e.g., reverse band)?**

If we had spare satellite capacity, we would provide HD in more markets. In the next year, we plan to launch a replacement spot beam satellite, which will provide us with some additional capacity and enable us to compete with the cable industry. Moreover, we will require additional frequencies (e.g., reverse band) to comply with a carry one, carry all HD mandate in all of our local markets.

### **(4) How long does it take to design, construct, and launch a new satellite?**

Approximately four years. See SIA letter dated March 5, 2008.

### **(5) Are there likely to be technical improvements between now and 2013 that allow DBS providers to add additional HD stations in a market?**

Yes. Today we carry 4 HD stations in a transponder. With advances in technology, the ratio should improve. Given these improvements in technology, we should be able to carry all stations in HD in some local markets without constructing a new satellite (which is why we were able to propose a 15% benchmark as early as 2010).

### **(7) Are the DBS providers likely to launch additional satellites that would enable them to carry additional stations prior to 2013?**

Yes. DBS providers generally launch one satellite per year. We hope to launch as many as three replacement satellites (two were originally scheduled for prior years) in 2008: two CONUS and one spot beam satellite. As our satellites reach the end of their life expectancy (approximately 10-15 years), we will need to devote more resources to replacement satellites. Even with these additional satellites, we will not have enough capacity to comply with an HD carry one, carry all mandate.

### **(8) How aggressive is the joint DBS benchmark proposal?**

Very. As illustrated by the attached chart, it assumes much more aggressive investment by DBS providers and more significant advances in technology than have occurred in the nine years since the first local markets were launched in 1999.